#### PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Shigetaka AOKI, et al.

Application No.: 10/768,065

Filed: February 02, 2004

Customer Number: 20277

Confirmation Number: 6161

Group Art Unit: 2813

Examiner: Jennifer M. Dolan

For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

No additional fee is required.

Applicant is entitled to small entity status under 37 CFR 1.27

Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	9	20	0	\$50.00 =	\$0.00
Independent Claims	2	3	0	\$200.00 =	\$0.00
		Multiple dependent claims newly presented			\$0.00
		Fee for extension of time			\$0.00
					\$0.00
		Total of Above Calculations			\$0.00

Please charge my Deposit Account No. <u>500417</u> in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT/WILL & EMERY LLP

Michael E. Fogarty

Registration Nd. 36,139

Please recognize our Customer No. 20277 as our correspondence address.

Phone: 202.756.8000 MEF:kap Facsimile: 202.756.8087

Date: December 28, 2005

Washington, DC 20005-3096

600 13th Street, N.W.

DEC 2 8 2005

Docket No.: 060188-0740

## **PATENT**

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## **AMENDMENT**

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 28, 2005, having a shortened statutory period for response set to expire December 28, 2005, please amend the above-identified application as follows: